



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Herbert ZECH ET AL. - 2 PCT
SERIAL NO: 10/524,187 EXAMINER: Allison M. FORD
FILED: SEPTEMBER 30, 2005 GROUP: 1651
FOR: METHOD FOR PRODUCING CELL LINES AND ORGANS BY
MEANS OF DIFFERENTIABLE CELLS

RESPONSE TO RESTRICTION REQUIREMENT

MAIL STOP: AMENDMENT
Commissioner for Patents
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Dear Sir:

In response to the Office Action dated January 11, 2008,
with the period of time having been extended by Petition and the
payment of the fee, Applicants respectfully respond as follows:

An Election of Species begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.

ELECTION OF SPECIES:

The Patent Examiner has required the selection of **one of each** of the following species for further prosecution:

- Species I: Embryo states: (a) morula and (b) blastocyst, as in claim 1;
- Species II: Donor cell tissue source: (c) umbilical cord blood, (d) placenta, (e) bone marrow, and (f) fatty tissue, as in claims 4-7;
- Species III: Genetic state of embryo: (f) containing no exogenous DNA sequences and (g) containing an exogenous vector that causes a lethal sensitivity to appropriate cultivation conditions in comparison to the particular wild type, as in claim 9;
- Species IV: Genetic state of donor cells: (h) containing no exogenous DNA sequences and (i) containing an exogenous DNA sequence that causes a resistance to additives of culture media, as in claim 10;
- Species V: Species of nonhuman embryos: (j) mouse and (k) pig, as in claims 15 and 16; and
- Species VI: Species of donor cells: (l) human and (m) nonhuman, as in claims 19 and 23.

ELECTION:

Applicants respectfully elect, with traverse:

- Species I: Embryo states: (b) blastocyst, as in claim 1;

- Species II: Donor cell tissue source: (c) umbilical cord blood, as in claim 4;
- Species III: Genetic state of embryo: (g) containing an exogenous vector that causes a lethal sensitivity to appropriate cultivation conditions in comparison to the particular wild type, as in claim 9;
- Species IV: Genetic state of donor cells: (i) containing an exogenous DNA sequence that causes a resistance to additives of culture media, as in claim 10;
- Species V: Species of nonhuman embryos: (k) pig, as in claim 16; and
- Species VI: Species of donor cells: (l) human, as in claim 19,

Claims 1-4, 8-14, 16, 17 and 19 are readable on the elected species.